Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
09/02/14	Internal Affairs Bureau	☐	☑

Incident Information

URN: 014-13309-2116-013	Date: 08/26/14	Time: 1304

City or Station: Century Station

Location: [redacted] Santa Fe Avenue, Lynwood

Nature of Incident: Suspect Wesson shot Deputy Spencer who returned fire. Suspect Wesson was later shot by SEB Deputies Schultz and Munoz after he emerged from his apt with a handgun.

Location Type (*check one or more*):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (*check only one*):
- ☐ Darkness
- ☑ Daylight
- ☐ Other
- ☐ Street Lights

Weather (*circle only one*):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance:

Incident Type (*check one or more*):
- ☐ Accidental
- ☑ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☑ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☐ Call
- ☐ Observation
- ☐ One Person Unit
- ☑ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (*check only one*):
- ☑ Detective
- ☐ Inmate Transport
- ☐ Other
- ☐ Routine Patrol

Aero Unit? ☑ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
2	13

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	Miranda	Omar		☐ EM ☐ PM ☑ Day	☑ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	Street Address	City	First Name	Zip Code	Work Ph	Home Ph	M.I.

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
	Ruiz	P		☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	Bowley	Jason	R	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Ovalle	Jose	M

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Nathan	Daniel	A

PSTD Use Only

SH # 2364142

See Reverse

Officer Involved Shooting
Involved Employee Information

URN: 014-13309-2116-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Spencer	First Name: Arturo	M.I.: R.
Sex: M / Race:	Rank: Deputy	Unit Assignment: CEN	Work Assignment (Unit #, Module, etc.): Detective Bureau
ShiftTime (*circle only one*): [ ] EM [ ] PM [x] Day	ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [x]	Hospital Name: Saint Francis	Coroner Case? [ ]	Coroner Case #: / Interviewed? [x]
Hrs of sleep prior to shooting: 6-8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [x] Uniform w/ Vest	Other Factors:
Age: 39	Height: 5'10" / Weight: 230 lbs		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted] / Certification Unit: [redacted]	Prior Shootings? [redacted] / Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: Smith & Wesson	Caliber: 9MM / # Shots: 2 or 3	Weapons Fired Brand:	Caliber: / # Shots:
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #	Last Name:	First Name:	M.I.:

E 2

Employee # [redacted]	Last Name: Schultz	First Name: Marc	M.I.: W.
Sex: M / Race:	Rank: Deputy	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): Special Weapons Team
ShiftTime (*circle only one*): [ ] EM [ ] PM [x] Day	ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: / Interviewed? [x]
Hrs of sleep prior to shooting: 5-6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [x] Uniform w/ Vest	Other Factors:
Age: 48	Height: 5' 9" / Weight: 195		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted] / Certification Unit: [redacted]	Prior Shootings? [redacted] / Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: Remington	Caliber: .308 / # Shots: 1	Weapons Fired Brand:	Caliber: / # Shots:
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E 3

Employee # [redacted]	Last Name: Munoz	First Name: Ricardo	M.I.: NMN
Sex: M / Race: H	Rank: Deputy	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): Special Weapons Team
ShiftTime (*circle only one*): [ ] EM [ ] PM [x] Day	ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: / Interviewed? [x]
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [x] Uniform w/ Vest	Other Factors:
Age: 42	Height: 5'10" / Weight: 175lbs		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted] / Certification Unit: [redacted]	Prior Shootings? [redacted] / Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: Colt	Caliber: .223 / # Shots: 2	Weapons Fired Brand:	Caliber: / # Shots:
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

See Other Side

Officer Involved Shooting
Suspect Information

URN: 014-13309-2116-013

Suspect Information

S 1

Last Name: Wesson		First Name: Kerry	M.I. E.
AKA Last Name:		First Name:	M.I.
Sex: M Race: B	Street Address: [redacted] Santa Fe Avenue, Apt [redacted]	City: Lynwood	State & Zip Code: CA 90044
Work Phone:	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 45 D.O.B. 09/07/68	Height: 6' 1" Weight: 260	FBI #: [redacted]	CII #: [redacted]
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☑	Coroner Case #: 2014-05907	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☐	Mental Illness? ☑	Criminal History? ☑
Vehicle Make:		Model:	Year:

S

Last Name:		First Name:	M.I.
AKA Last Name:		First Name:	M.I.
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S

Last Name:		First Name:	M.I.
AKA Last Name:		First Name:	M.I.
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S

Last Name:		First Name:	M.I.
AKA Last Name:		First Name:	M.I.
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES

Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Edwards	Darrell		Los Angeles County Sheriff's Deputy SEB		323-881-7800	
Cheshier	Casey	R.	Los Angeles County Sheriff's Deputy SEB		323-881-7800	
Rodriguez	Juan	P.	Los Angeles County Sheriff's Deputy SEB		323-881-7800	
Creamer	George		Los Angeles County Sheriff's Deputy SEB		323-881-7800	
Montenegro	John	C	Los Angeles County Sheriff's Deputy SEB		323-881-7800	
Melgoza	Jessie	C	Los Angeles County Sheriff's Deputy SEB		323-881-7800	
Francois	Ervin		Los Angeles County Sheriff's Deputy SEB			
Farrell	Daniel	P	Los Angeles County Sheriff's Deputy SEB		323-881-7800	
Contreras	Ignacio		Los Angeles County Sheriff's Deputy Century Station		323-881-7800	

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
08/26/14	1630 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Eitner	Eric	A.
[redacted]	Bracken	Sonja	M.
[redacted]	Harpham	Richard	J.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH	BR	9			GS	SH
E1	S1	FH	SW	9	Y	Y	GS	BK
S1	E2	FH	BR	9			NN	
S1	E1	FH	BR	9			NN	
E2	S1	FR	RM	30	Y	Y	DH	SH
E3	S1	FR	CO	23	Y	Y	DH	HE

See Front Side

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**On-duty hit shooting, suspect deceased**
IAB FILE NUMBER:	**SH 2364142**
URN#:	**014-13309-2116-013**
DATE/TIME:	**August 26, 2014, 1304 hours**
LOCATION:	[redacted] **Santa Fe Avenue, Lynwood**

SYNOPSIS

On Tuesday, August 26, 2014, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Richard Harpham, and Sergeants Eric Eitner and Sonja Bracken responded to an incident command post regarding an on-duty hit shooting. The command post was established by Century Station personnel. The shooting resulted in the death of Suspect Kerry Eric Wesson (M/B/09/07/1960).

IAB NOTE: On September 2, 2015, this case was reassigned to IAB Sergeant David Moore.

Detectives Eddie Brown and Antoinette Martinez from the Los Angeles County Sheriff's Department Homicide Bureau assumed control of the homicide investigation. For further information regarding the homicide investigation refer to the homicide case book, under URN #014-13309-2116-013 **[EXIBIT A]**.

IAB Lieutenant Harpham checked to ensure the Century Station Watch Commander, Lieutenant Daniel Nathan, took reasonable steps to ensure the involved parties and witnesses did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by the assigned investigators. In addition, Lieutenant Harpham also ensured Lieutenant Nathan knew the aforementioned parties should not collectively consult with their attorney or representative. Lieutenant Harpham confirmed the involved and witness personnel were gathered in the company of a supervisor until they provided a statement to the assigned investigators.

On Tuesday, August 26, 2014, Detectives Arturo Spencer, and Omar Miranda, both assigned to the Century Sheriff Station Detective Bureau, were in the field conducting follow-up investigation regarding some of their cases. Detective Arturo Spencer attempted to contact a victim listed in a criminal threat case he was investigating.

The victim of the criminal threat report was Witness [redacted] who resided at [redacted] Santa Fe Avenue [redacted], Lynwood. Detective Omar Miranda assisted Detective Spencer with his fieldwork.

Detectives Arturo Spencer and Omar Miranda left the station together at approximately 1:00 p.m. **(Refer to Deputy Miranda's Homicide transcript, page 1, line 20).** They took one of the assigned station detective vehicles, an unmarked grey Ford Crown Victoria, with a Mobile Digital Computer, radio, and forward facing red light. The vehicle is also equipped with a siren. Detective Omar Miranda drove the vehicle that day while Detective Spencer was the passenger.

Detective Omar Miranda wore a green shirt and blue jeans with his green bullet-proof vest over it. The vest had his name written on the front with a Sheriff's Department badge on the opposite side. The word "Sheriff" was written across the back of the vest.

Detective Arturo Spencer wore his Class "A" uniform and "Danner" boots. Detective Spencer had a green bullet proof vest on over his uniform shirt which had a cloth badge on the front and the word "Sheriff" written on the back.

Detective Spencer's crime victim lived in the apartment complex located at [redacted] Santa Fe Avenue, Lynwood. The complex is [redacted] and a locking pedestrian gate. Within the complex, is a separate apartment building with the address of [redacted] Santa Fe Avenue. Both complexes are single story apartments which face each other. Between the two buildings, is a small grass courtyard with a sidewalk leading down the length of the two buildings. Each apartment building has individual apartments distinguished by letters [redacted]. The sidewalk to the north leads to the front doors of the apartments at [redacted] Santa Fe Avenue. The sidewalk to south leads to the front doors of apartments at [redacted] Santa Fe Avenue.

Witness [redacted] is located at [redacted]. As the detectives arrived, they both exited their vehicle and approached the locked [redacted] pedestrian gate which faces Santa Fe Avenue. Both detectives remained at the gate momentarily until an unidentified male who was walking within the gated complex, allowed the two detectives inside. The unidentified male exited the property and walked away **(Refer to IAB interview transcripts of Detective Arturo Spencer, page 12, lines 6-7).**

Detective Spencer walked to the front door of [redacted] at [redacted] Santa Fe Avenue and knocked on the door. Witness [redacted], the victim in Detective Spencer's case he was investigating, came to the door and contacted the detectives. Detective Miranda stood alongside of Detective Spencer as they spoke to Witness [redacted].

Detective Spencer stood in the threshold of the doorway of [redacted] for the duration of his conversation. While Detective Spencer spoke to Witness [redacted], Detective [redacted] stood to the left of Detective Spencer and observed the conversation.

During Detective Spencer's conversation with Witness [redacted], Detective Miranda made a phone call on his cell phone. As Detective Spencer's conversation was concluding, Detective Miranda stepped away and began to walk toward the exit gate **(Refer to Detective Miranda's transcripts, page 6, lines 11-28).**

Detective Miranda reached the pedestrian gate and exited the complex believing Detective Spencer would be close behind (**Refer to Detective Miranda's IAB transcripts, page 7, line 2).**

The conversation with Witness [redacted] lasted approximately 4-5 minutes. Detective Spencer, once completed, stepped back away from the front door of [redacted] **(Refer to Deputy Spencer's Homicide transcripts, page 4, lines 8-9).**

Detective Spencer took a couple of steps away from [redacted] toward the pedestrian gate, in a north western direction. [redacted]. As he walked, Detective Spencer returned paperwork from his case which he referred to during his conversation with Witness [redacted], back into a manila folder he carried with him **(Refer to IAB interview of Detective Spencer, page 9, line 7.)**

After taking a few steps from [redacted], Detective Spencer heard what he initially believed to be firecrackers behind him. Simultaneously, Detective Spencer felt a sharp pain in his right shoulder. Detective Spencer likened the pain to being hit with a sledgehammer. Detective Spencer said he turned toward the area from where he heard the sounds, and saw a male Black adult (Suspect Wesson) standing in front of one of the apartments on the [redacted] side of the complex. The apartment Suspect Wesson was standing in front of was about [redacted] of Detective Spencer. Detective Spencer saw Suspect Wesson was shooting a gun at him **(Refer to Homicide transcripts of Deputy Spencer, page 6 and 7, lines 20- 2).**

Detective Spencer, in an effort to make himself a smaller target, jumped down to the ground toward the northwest in an effort to get cover. Detective Spencer looked back at Suspect Wesson and saw him walk away from his door and continue walking toward him. Detective Spencer did not remember if Suspect Wesson continued to shoot at him or not, but, when he saw Suspect Wesson move toward him, he believed he was going to be killed **(Refer to Homicide transcripts, page 7, lines 25-31 into lines 1-2 on page 8).**

Detective Spencer saw Suspect Wesson was still pointing his gun at him. Detective Spencer knew he needed to get to some form of "cover" and tried to crawl to the northwest corner of the complex. However, due to his injury, he crawled on his hands and elbows as he could not support himself with his right arm **(Refer to Detective Spencer's IAB transcripts, page 12, line 29).**

Detective Spencer pushed himself up, drew his Department issued firearm from its holster and faced Suspect Wesson pointing his (Detective Spencer's) gun at him.

Suspect Wesson continued to walk toward Detective Spencer, pointing his gun. Detective Spencer fired three or four times at Suspect Wesson. Detective Spencer saw Suspect Wesson flinch, and cease his forward movement toward him. Detective Spencer said Suspect Wesson returned to his apartment and entered it. Detective Spencer was not aware if he had struck Suspect Wesson with one or more of his gunshots.

Once Suspect Wesson returned to his apartment, Detective Spencer was able to run out of the complex and take cover behind his vehicle which was parked on Santa Fe Avenue.

Detective Omar Miranda had exited the complex ahead of Detective Spencer. When the gate closed, he heard "popping" sounds which he initially thought were firecrackers. Detective Miranda looked into the complex and saw Detective Spencer diving to the ground inside of the complex. Additionally, he saw a male Black standing in front of one of the apartments on the [redacted] side, shooting at them. Once he realized they were being shot at, Detective Miranda hit the ground in front of the fence on the sidewalk. From his position on the ground, Detective Miranda saw that Detective Spencer was between himself and suspect, in his line of fire.

Detective Miranda saw Suspect Wesson continue to shoot at the two of them, but also saw Detective Spencer return fire at Suspect Wesson. Detective Miranda could not return fire because he feared Detective Spencer would raise his head and be struck by one of his rounds as Detective Spencer was between Detective Miranda and Suspect Wesson **(Refer to IAB transcripts, page 4, lines 23-34).**

Detective Miranda saw Suspect Wesson return to his apartment, he told Detective Spencer he needed to get out of the complex. Detective Miranda saw Detective Spencer run toward to gate, and he provided cover for him, until he could exit **(Refer to IAB interview transcripts, page 4, lines 39-42).**

Detective Miranda and Detective Spencer then moved to the vehicles parked along the street for cover. Once behind cover, Detective Miranda used his Department issued radio and advised there had been a deputy involved shooting and a deputy had been struck by gunfire. Detective Miranda stated he did not put out any radio traffic about the shooting until both deputies reached cover, due to the fact he believed he was in the middle of a gunfight for his life **(Refer to Detective Miranda's IAB transcripts, page 10, lines 29-32).**

Detective Miranda heard another series of gunfire which came from within Suspect Wesson's apartment as he put out radio traffic **(Refer to IAB transcripts, page 5, lines 9-10).**

Sergeant Ursini and Deputy Scott Giles arrived minutes later, contacted Detective Spencer and placed him into Sergeant Ursini's vehicle. Sergeant Ursini drove Detective Spencer to St. Francis Hospital for treatment. Suspect Wesson remained inside of his apartment.

Additional Deputies arrived at the location and contained the area. Special Enforcement Bureau (SEB) was requested and responded to the location.

Pending the arrival of SEB, deputies on scene set up a command post and made numerous requests for Suspect Wesson to surrender.

Members of SEB arrived, and after being briefed by on scene personnel, assessed the location and developed a tactical plan. The plan included evacuating residents from the two apartment complexes located within the [redacted] fenced area. Members of the SEB unit were positioned inside two of the apartments that would give them the best tactical advantage.

Deputy Ricardo Munoz took a position in one of the armored response vehicles SEB members brought to the scene. The vehicle was parked on Santa Fe Avenue in front of the apartments. Deputy Munoz took a position in the turret of the vehicle, and covered the front door of Suspect Wesson's apartment. Deputy Munoz was assigned as "Long Rifle Two."

Other members of the SEB team were set up inside of [redacted] at [redacted] Santa Fe Avenue. One member, Deputy Marc Schultz, was assigned as "Long Rifle One" inside of that [redacted]. Other members inside of [redacted] were Deputies George Creamer, Juan Rodriguez, and John Cook. Deputy Juan Rodriguez operated the "Avatar" robot.

> **IAB NOTE: The Avatar Robot is a remote controlled robot which has a camera mounted on it.**

Additional members of the SEB team were deployed to an apartment [redacted] adjacent to Suspect Wesson's.

These members included Witnesses Deputy Daniel Farrell, Deputy Ervin Francois, Deputy Johnny Montenegro, Deputy Gilbert Jurado, and Deputy Jason Phillippi. Members set up a "Bomb Blanket" along the shared wall of Suspect Wesson's apartment to ensure their safety.

Additional deputies were deployed to [redacted] which was east of Suspect Wesson's apartment. Members in the outer apartments maintained visual surveillance on the attic of the location due to the fact it connected each apartment.

Witness Deputy Casey Cheshier, a member of SEB, was assigned to operate the "Tac-Cat" tractor.

IAB NOTE: The "Tac-Cat" tractor is a Caterpillar track vehicle with an armored cab and engine compartment.

Announcements were made for Suspect Wesson to exit his apartment but he failed to comply.

Crisis Negotiators were called to the scene and attempted to communicate with Suspect Wesson but were unable to make contact with him.

After receiving no response from Suspect Wesson, the decision was made by the Tactical Commander of the incident, Lieutenant Bruce Chase, to remove the front door of Suspect Wesson's [redacted].

Deputy Cheshier's responsibilities were to take the "Tac-Cat" to the front door of Suspect Wesson's apartment and remove the front door if Suspect Wesson failed to comply with their verbal commands. The door was removed in case an entry into the location was needed. When Deputy Cheshier removed the door from Suspect Wesson's apartment, Suspect Wesson fired one shot at Deputy Cheshier striking the "Tac-Cat." Deputy Cheshier placed the door onto the grass courtyard of the complex and parked the "Tac-Cat" east of Suspect Wesson's apartment in case it was needed for cover for the entry team. Deputy Cheshier parked the "Tac-Cat" approximately ten feet away from Suspect Wesson's front door.

Deputy Cheshier was able to watch the front door of Suspect Wesson's apartment from his location within the "Tac-Cat", and communicated what he saw to the rest of the team.

SEB Deputy Juan Rodriguez, with the front door of Suspect Wesson's apartment removed, deployed the "Avatar" robot into the location. The robot was deployed to give a better view of Suspect Wesson's actions.

Deputy Rodriguez controlled the Avatar robot from his position within [redacted] of [redacted] Santa Fe Avenue. He was able to observe Suspect Wesson with the assistance of a monitor. Via the monitor, Deputy Rodriguez was able to control the robot's movements. Upon inserting the robot into Suspect Wesson's apartment, Suspect Wesson shot and struck the robot.

Through the robot's camera, Deputy Rodriguez was able to watch Suspect Wesson move from room to room and fire additional shots. In addition to Suspect Wesson shooting at the robot, one of his fired rounds went through the west wall of Suspect Wesson's apartment. The west wall is a common wall with [redacted] where numerous SEB deputies were staged. The bullet travelled through the wall and struck the ballistic blanket which was protecting members of the SEB team.

Deputy Juan Rodriguez continued to broadcast Suspect Wesson's actions which he observed via his monitor.

Several additional shots were fired by Suspect Wesson inside of his apartment as public address speaker announcements were continually being made for Suspect Wesson to exit his apartment.

As Deputy Cheshier remained inside of the "Tac-Cat", and watched as the Avatar robot made entry into the apartment. Deputy Cheshier was able to see Suspect Wesson fire his weapon at the robot. Deputy Cheshier continued to monitor the front door of Suspect Wesson's apartment.

After Suspect Wesson fired additional gunshots from within his apartment, Deputy Cheshier saw Suspect Wesson begin to move toward the front door of his apartment. Deputy Cheshier described Suspect Wesson's movements toward the door as cautious.

Suspect Wesson moved along the western wall of his apartment until he got to his front door. Prior to stepping out of the apartment, Suspect Wesson looked out the door and around the western corner of the doorframe.

Deputy Cheshier saw Suspect Wesson sweep the top of his gun a couple of times. Deputy Cheshier believed Suspect Wesson was ensuring his weapon was ready to shoot prior to exiting the apartment **(Refer to Deputy Cheshier's Internal Affairs transcripts, page 6, lines 7-22).**

Approximately two hours after Suspect Wesson barricaded himself inside of his apartment, he quickly moved out his front door carrying a black semi-automatic weapon in his right hand. Deputy Cheshier said he could see the gun was in the "cocked" position, and ready to fire (**Refer to Deputy Cheshier's Homicide transcripts, page 7, lines 16-17).**

IAB NOTE: SEB members estimated Suspect Wesson exited his apartment approximately two hours after initially barricading himself.

Witness Deputy Marc Shultz, saw Suspect Wesson run out of the apartment holding a gun. Fearing his partners were about to be shot, he fired one round from his long rifle, striking Suspect Wesson in the shoulder (**Refer to IAB interview transcripts of Deputy Schultz, page 13, lines 3-4).**

Witness Deputy Ricardo Munoz heard one round, but did not see Suspect Wesson fall to the ground. Deputy Munoz saw Suspect Wesson turn toward the west. Fearing his fellow deputies could be shot, he fired two rounds at Suspect Wesson. Deputy Munoz said one round struck Suspect Wesson on his head. He believed the second round struck him on the upper torso causing Suspect Wesson to fall to the ground **(Refer to Deputy Munoz's Internal Affairs transcripts, lines 25-34 on page 13, and lines 1-14 on page 14).**

Once Suspect Wesson was on the ground, an SEB arrest/contact team approached him.

The arrest/contact team secured the area and the SEB paramedics, who were part of the arrest/contact team, approached to provide medical assistance.

IAB NOTE: SEB teams have their own paramedics assigned as members. As part of the arrest/contact team, paramedics were able to render first aid to Suspect Wesson.

During the medical assistance, SEB paramedics were in contact with Doctor Robert Flashman at St. Francis Hospital, via telephone. Based on the information the paramedics were providing the doctor, Doctor Flashman pronounced Suspect Wesson deceased at 4:30 p.m.

Witness [redacted], was inside of the laundry room toward the east end of the gated complex when she heard 3-4 gunshots. She then stepped out of the laundry room to investigate the sounds. Witness [redacted] saw Suspect Wesson shooting at one of the "Sheriffs" who was inside of the complex **(Refer to Witness [redacted] Homicide transcripts, page 2, lines 1-5, and [EXIHIBIT F] for Homicide supplemental report for Witness statements).**

Witness [redacted] resided in the complex, [redacted] from Suspect Wesson in [redacted]. Witness [redacted] arrived at her front door, and as she walked into her apartment, heard one gunshot (**Refer to Witness [redacted] Homicide transcripts, page 2, lines 2-10).**

As Witness [redacted] looked out her window, she saw a "Sheriff's officer" on the ground and [redacted] (Suspect Wesson) shooting toward the officer. Witness [redacted] saw [redacted] (Suspect Wesson) turn and re-enter his apartment. She also noticed he was bleeding on his back. Suspect Wesson came back outside and fired again in the deputies' direction. Witness [redacted] also saw the deputy shooting at Suspect Wesson **(Refer to Witness [redacted] Homicide transcripts, page 5, lines 6-15 [EXHIBIT F] for Homicide supplemental report for Witness statements).**

Witness Deputy Ignacio Contreras responded to the scene after hearing the emergency broadcast. Deputy Contreras arrived at the location and saw Deputy Ricardo Munoz arrive and begin to don his gear. Deputy Contreras heard, broadcast over the radio, words to the effect that Suspect Wesson was not going to be taken alive. Deputy Contreras wanted to make sure Deputy Munoz was aware of the information and told him what he heard. Deputy Contreras did not remember who broadcast the information on the radio. After he passed on the information to Deputy Munoz, Deputy Contreras saw his services were no longer needed at the location, and returned to his assigned area (Lynwood Schools).

[redacted]

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the fatal shooting of Kerry Wesson by Deputies Arturo Spencer, Marc Schultz and Ricardo Munoz **[EXHIBIT B].**

In their letter of opinion **[Exhibit B]**, dated August 1, 2016, Deputy District Attorney James Garrison concluded Deputies Arturo Spencer, Marc Schultz, and Ricardo Munoz, acted lawfully, in self-defense, and in defense of others when they used deadly force against Kerry Wesson.

INVESTIGATION

Internal Affairs Bureau investigators interviewed Deputies Munoz, Shultz, Spencer, Miranda, Edwards, Cook, Cheshier, Contreras, and Captain Carlos Marquez.

Investigators attempted to interview the [redacted] of Suspect Wesson, [redacted], and the husband of [redacted], [redacted]. However, investigators were unable to contact them as they had moved, and no forwarding address or phone numbers were provided.

During the investigation, IAB investigators contacted several members of the Crisis Negotiations Team. Captain Carlos Marquez, who vaguely recalled responding to the scene, and Sergeants Harry Drucker and Don Hudalla; however, their attempts to contact Suspect Wesson, failed.

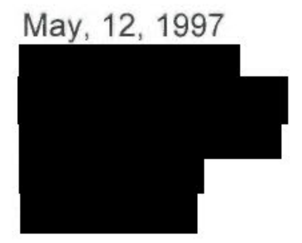
Investigators attempted to locate the [redacted] of [redacted], [redacted], who was present during the shooting; however, [redacted] and Witness [redacted] had moved and did not provide a future address to anyone at the apartment complex.

Additional attempts were made to contact [redacted], who is the [redacted] of Suspect Wesson and who resides in [redacted]; however, phone calls were never answered.

INVOLVED PERSONNEL

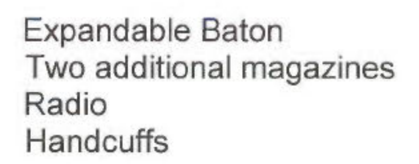
Arturo Spencer, Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History

Date of Employment: May, 12, 1997

Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Century Station:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
9mm M&P Smith and Wesson
Pancake holster
Bullet-proof vest
Tourniquet


Expandable Baton
Two additional magazines
Radio
Handcuffs

Ricardo Munoz, Deputy Sheriff, #[redacted]
Central Patrol Division
Special Enforcement Bureau

Work History

Date of Employment: August 19, 1998

Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Century Station:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

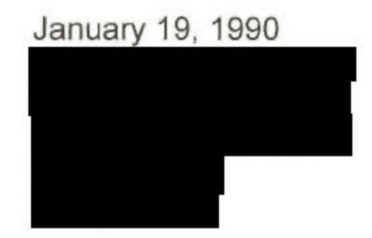
Equipment Worn On Person

Headgear
Body armor
Colt M-4
Berretta 92FS

Marc Schultz, Deputy Sheriff #[redacted]
Central Patrol Division
Special Enforcement Bureau

Work History

Date of Employment: January 19, 1990
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Date Assigned to Century Station: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]



Equipment Worn On Person

Beretta 92A1
M4 Carbine
Remington 40X bolt action rifle

SUSPECT INFORMATION

Kerry Eric Wesson
Male, Black, DOB: September 7, 1960, 6'01", 260 pounds
Deceased
CII #[redacted], MAIN #[redacted], FBI #[redacted]

IAB NOTE: A copy of Suspect Wesson's criminal history is included in the Homicide Investigation Book [Exhibit A, pages 119-123].

SUSPECT'S INJURIES

Suspect Kerry Wesson sustained three gunshot wounds.

One from a 9mm round to his lower back, one from a 308 caliber rifle to his left shoulder, one round from a Colt M4 which struck the top of his head. One round struck and grazed his left wrist **[Exhibit A, pages 133-134]**.

DEPUTY PERSONNEL INJURIES

Deputy Spencer received a gunshot wound to his right shoulder which fractured his scapula, and travelled across his back and came to a rest above his spine.

PHYSICAL EVIDENCE

All physical evidence was located and collected by Deputy Steven Thomas, from Scientific Services Bureau.

Evidence was documented by Homicide Bureau investigators and Scientific Services Bureau personnel; refer to **[EXHIBIT A, page 93-101].** Additionally, a DVD containing crime scene photographs and a scene video were provided with this case, **[EXIHIBIT C].**

Additional evidence was recovered by Firearms Examiner Deputy Ivan Chavez. Deputy Chavez determined Suspect Wesson fired thirteen rounds from his handgun **[EXHIBIT G].**

Additionally, Deputy Chavez determined Deputy Spencer discharged two rounds from his duty weapon **[EXHIBIT G].**

INVESTIGATORS OBSERVATIONS

The scene was described in detail by Homicide Detectives Eddie Brown and Antoinette Martinez **[Exhibit A, page 31-34]**.

Homicide investigator's description of the scene was consistent with IAB investigator's observations. The scene was also photographed and sketched by Deputy R. Davidson and Forensic Specialist D. Alonso.

WEAPON USED BY DEPUTY SPENCER

Deputy Spencer fired two rounds of Department issued 9mm ammunition from his M&P Smith-Wesson 9mm pistol, with attached 15 round magazine.

The firearm was examined and tested by Sheriff's Senior Criminalist, T. Peck, A. Wu, Deputy Ivan Chavez, and found to be functional. **[Exhibit A, page 102-104].**

An examination of Deputy Spencer's firearm by Homicide Detectives indicated he shot a total of two rounds.

Deputy Spencer carried his weapon with seventeen rounds in the magazine and one round in the chamber. Following the shooting, his weapon contained fifteen live 9mm rounds. **[Exhibit A page 95].**

Date last qualified: [redacted]
Date last trained with weapon:

Two expended 9mm casings were recovered at the scene **[Exhibit A, page 96]**. Two projectiles were recovered from the body of Suspect Wesson **[Exhibit A, pages 133-134]**.

WEAPON USED BY DEPUTY SCHULTZ

Deputy Schultz fired one round of Department issued Remmington, Model 40-X Los Angeles County Sheriff's Department Winchester caliber, bolt action rifle. The firearm was examined and tested by Sheriff's Senior Criminalist, T. Peck, and found to be functional. **[Exhibit A, page 102-104].**

WEAPON USED BY DEPUTY MUNOZ

Deputy Munoz fired two rounds from his Department Issued Colt M-4 carbine rifle. The firearm was examined and test fired by Senior Criminalist A. Wu, and found to be functional. **[Exhibit A, page 102-104].**

WEAPON USED BY SUSPECT WESSON

Baretta model 92FS, 9mm Luger caliber, semiautomatic pistol **[Refer to Exhibit A, page 96].** The firearm was examined and test fired by Deputy Ivan Chavez, and found to be functional.

PROPERTY DAMAGE

A bullet hole in the west facing window of [redacted] at [redacted] Santa Fe Avenue. The bullet travelled west to east, perforated the window, travelled through the living room, perforated the open front door and east living room wall. The bullet continued into the southeast bedroom and struck the metal frame of the southeast closet door. The bullet was recovered from the floor of the southeast bedroom.

A bullet hole in the SEB Avatar robot. The bullet penetrated the robot and a recovery was not attempted **[EXHIBIT D].**

A bullet impact to the front face of the claw of the SEB armored track rescue vehicle. The bullet travelled in a southeast direction, impacted the tractor and ricocheted away. **[EXHIBIT D].**

Three bullet holes in the wrought iron security door of [redacted], of Suspect Wesson's apartment. The bullets travelled from inside of the apartment to the outside **[EXHIBIT D].**

Two bullet impacts on the hardwood floor of Suspect Wesson's apartment. The bullets travelled downward east to west. One bullet was recovered in the sofa of Suspect Wesson's apartment **[EXHIBIT D].**

A bullet hole in the north facing window of [redacted] at [redacted] Santa Fe Avenue. The bullet travelled through the interior vertical blind and wooden slat bordering the window. A bullet fragment was located on the window sill of [redacted] at [redacted] Santa Fe Avenue **[EXHIBIT D].**

A bullet hole in the north facing window of [redacted] of [redacted] Santa Fe Avenue. The bullet travelled from the exterior to the interior in a southwest direction. The bullet perforated the window and interior window curtain. The bullet continued through the apartment and perforated the open front door, and the west facing window curtain and window **[EXHIBIT D].**

A bullet hole in the north facing wall along the west edge of the north facing window. The bullet penetrated the wall **[EXHIBIT D].**

A bullet impact on the vertical picket of the wrought iron security screen door of [redacted] at [redacted] Santa Fe Avenue. The bullet travelled east to west. A second bullet hole in the security screen door of [redacted]

The bullet travelled in a southwest direction, penetrated the screen door, the liquor bar along the north wall of [redacted], perforated a number of water bottles on the floor, and settled inside a paper shredder. A bullet hole in the pedestrian gate leading into the complex. The bullet travelled east to west and perforated the entrance door **[EXHIBIT D].**

CRIMINAL INVESTIGATORS

The criminal investigation into the shooting was handled by Detectives Eddie Brown and Antoinette Martinez.

LIGHTING AND WEATHER CONDITIONS

This incident occurred during daylight hours.

ADDITIONAL INFORMATION

Suspect Wesson was determined to have Diphenhydramine in his system at the time of the autopsy performed on him.

The level of intoxication in a sample of Suspect Wesson's heart blood was listed as 0.10 ug/mL. **Refer to [EXHIBIT A page 143].**

> **IAB NOTE: "ug/mL" is an abbreviation for Microgram per Milliliter. Diphenhydramine is an antihistamine.**